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October 9, 2024

Hon. Arun Subramanian  
United States District Judge  
Southern District of New York  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street  
New York, NY 10007-1312

Re: Swanson v. New York Life Insurance Company, 1:24-cv-05334-AS

Your Honor:

Plaintiff respectfully requests a sixty-day extension of the Court's order scheduling an Initial Pretrial Conference, dated July 18, 2024, (the "Order"), which, among other things, set a telephonic conference in this matter for October 15, 2024.

Good cause exists to adjourn the initial pre-trial conference. Plaintiff learned of issues relating to the original defendant named in the complaint and filed an Amended Complaint on August 30, 2024. Service of the Amended Complaint has been initiated, but not yet accomplished. Plaintiff anticipates that its process server will complete service shortly. Until counsel for Defendant appears, the parties cannot meet and confer concerning the issues in this Court's form Proposed Civil Case Management Plan and Scheduling Order or prepare the joint letter, as directed in the Order.

This is Plaintiff's first request for an extension of time and is not made for the purposes of delay. Plaintiff has already drafted a motion for summary judgment and anticipates being able to move the case forward expeditiously once Defendant appears. Counsel for Plaintiff apologizes to the Court and staff for any inconvenience caused by this request.

Respectfully submitted,

/s/Philipp Smaylovsky

Philipp Smaylovsky

Counsel for Plaintiff

The initial pretrial conference is adjourned to December 10, 2024, at 11:00 AM. The dial in information remains the same. The Clerk of Court is respectfully directed to terminate ECF No. 13. SO ORDERED.

Arun Subramanian, U.S.D.J.  
Date: October 9, 2024